

111TH CONGRESS  
1ST SESSION

# S. 678

To reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 24, 2009

Mr. LEAHY (for himself, Mr. SPECTER, Mr. KOHL, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Juvenile Justice and  
5 Delinquency Prevention Reauthorization Act of 2009”.

### 6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

#### TITLE I—FINDINGS AND DECLARATION OF PURPOSE

Sec. 101. Findings.

Sec. 102. Purposes.  
 Sec. 103. Definitions.

## TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Sec. 201. Concentration of Federal efforts.  
 Sec. 202. Coordinating Council on Juvenile Justice and Delinquency Prevention.  
 Sec. 203. Annual report.  
 Sec. 204. Allocation of funds.  
 Sec. 205. State plans.  
 Sec. 206. Authority to make grants.  
 Sec. 207. Grants to Indian tribes.  
 Sec. 208. Research and evaluation; statistical analyses; information dissemination.  
 Sec. 209. Training and technical assistance.  
 Sec. 210. Incentive grants for State and local programs.  
 Sec. 211. Authorization of appropriations.  
 Sec. 212. Administrative authority.  
 Sec. 213. Technical and conforming amendments.

## TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

Sec. 301. Definitions.  
 Sec. 302. Grants for delinquency prevention programs.  
 Sec. 303. Authorization of appropriations.  
 Sec. 304. Technical and conforming amendment.

# 1           **TITLE I—FINDINGS AND** 2           **DECLARATION OF PURPOSE**

## 3   **SEC. 101. FINDINGS.**

4           Section 101 of the Juvenile Justice and Delinquency  
 5 Prevention Act of 1974 (42 U.S.C. 5601) is amended to  
 6 read as follows:

## 7   **“SEC. 101. FINDINGS.**

8           “Congress finds the following:

9                   “(1) A growing body of adolescent development  
 10 research supports the use of developmentally appro-  
 11 priate services and sanctions for youth in the juve-  
 12 nile justice system and those at risk for delinquent  
 13 behavior to help prevent youth crime and to success-

1 fully intervene with youth who have already entered  
2 the system.

3 “(2) Research has shown that targeted invest-  
4 ments to redirect offending juveniles onto a different  
5 path are cost effective and can help reduce juvenile  
6 recidivism and adult crime.

7 “(3) Minorities are disproportionately rep-  
8 resented in the juvenile justice system.

9 “(4) Between 1990 and 2004, the number of  
10 youth in adult jails increased by 208 percent.

11 “(5) Every day in the United States, an aver-  
12 age of 7,500 youth are incarcerated in adult jails.

13 “(6) Youth who have been previously tried as  
14 adults are, on average, 34 percent more likely to  
15 commit crimes than youth retained in the juvenile  
16 justice system.

17 “(7) Research has shown that every dollar  
18 spent on evidence based programs can yield up to  
19 \$13 in cost savings.

20 “(8) Each child prevented from engaging in re-  
21 peat criminal offenses can save the community  
22 \$1,700,000 to \$3,400,000.

23 “(9) Youth are 19 times more likely to commit  
24 suicide in jail than youth in the general population

1       and 36 times more likely to commit suicide in an  
2       adult jail than in a juvenile detention facility.

3           “(10) Seventy percent of youth in detention are  
4       held for nonviolent charges, and more than  $\frac{2}{3}$  are  
5       charged with property offenses, public order of-  
6       fenses, technical probation violations, or status of-  
7       fenses, such as truancy, running away, or breaking  
8       curfew.

9           “(11) The prevalence of mental disorders  
10      among youth in juvenile justice systems is 2 to 3  
11      times higher than among youth in the general popu-  
12      lation.

13          “(12) Eighty percent of juveniles in juvenile  
14      justice systems have a nexus to substance abuse.

15          “(13) The proportion of girls entering the jus-  
16      tice system has increased steadily over the past sev-  
17      eral decades, rising from 20 percent in 1980 to 29  
18      percent in 2003.”.

19   **SEC. 102. PURPOSES.**

20       Section 102 of the Juvenile Justice and Delinquency  
21   Prevention Act of 1974 (42 U.S.C. 5602) is amended—

22           (1) in paragraph (2), by striking “and” at the  
23      end;

24           (2) in paragraph (3), by striking the period at  
25      the end and inserting “; and”; and

1 (3) by adding at the end the following:

2 “(4) to support a continuum of programs (in-  
3 cluding delinquency prevention, intervention, mental  
4 health and substance abuse treatment, and  
5 aftercare) to address the needs of at-risk youth and  
6 youth who come into contact with the justice sys-  
7 tem.”.

8 **SEC. 103. DEFINITIONS.**

9 Section 103 of the Juvenile Justice and Delinquency  
10 Prevention Act of 1974 (42 U.S.C. 5603) is amended—

11 (1) in paragraph (8), by amending subpara-  
12 graph (C) to read as follows:

13 “(C) an Indian tribe; or”;

14 (2) by amending paragraph (18) to read as fol-  
15 lows:

16 “(18) the term ‘Indian tribe’ has the meaning  
17 given that term in section 4 of the Indian Self-De-  
18 termination and Education Assistance Act (25  
19 U.S.C. 450b);”;

20 (3) in paragraph (22), by striking “or confine  
21 adults” and all that follows and inserting “or con-  
22 fine adult inmates;”;

23 (4) in paragraph (25), by striking “contact”  
24 and inserting “sight and sound contact”;

1           (5) by amending paragraph (26) to read as fol-  
 2       lows:

3           “(26) the term ‘adult inmate’—

4                 “(A) means an individual who—

5                         “(i) has reached the age of full crimi-  
 6                         nal responsibility under applicable State  
 7                         law; and

8                         “(ii) has been arrested and is in cus-  
 9                         tody for or awaiting trial on a criminal  
 10                        charge, or is convicted of a criminal charge  
 11                        offense; and

12                “(B) does not include an individual who—

13                        “(i) at the time of the time of the of-  
 14                        fense, was younger than the maximum age  
 15                        at which a youth can be held in a juvenile  
 16                        facility under applicable State law; and

17                        “(ii) was committed to the care and  
 18                        custody of a juvenile correctional agency by  
 19                        a court of competent jurisdiction or by op-  
 20                        eration of applicable State law;”;

21           (6) in paragraph (28), by striking “and” at the  
 22       end;

23           (7) in paragraph (29), by striking the period at  
 24       the end and inserting a semicolon; and

25           (8) by adding at the end the following:

1           “(30) the term ‘core requirements’ means the  
2 requirements described in paragraphs (11), (12),  
3 (13), and (15) of section 223(a);

4           “(31) the term ‘chemical agent’ means a spray  
5 used to temporarily incapacitate a person, including  
6 oleoresin capsicum spray, tear gas, and 2-  
7 chlorobenzalmalononitrile gas;

8           “(32) the term ‘isolation’—

9                 “(A) means any instance in which a youth  
10 is confined alone for more than 15 minutes in  
11 a room or cell; and

12                 “(B) does not include confinement during  
13 regularly scheduled sleeping hours, or for not  
14 more than 1 hour during any 24-hour period in  
15 the room or cell in which the youth usually  
16 sleeps, protective confinement (for injured  
17 youths or youths whose safety is threatened),  
18 separation based on an approved treatment pro-  
19 gram, confinement that is requested by the  
20 youth, or the separation of the youth from a  
21 group in a non-locked setting for the purpose of  
22 calming;

23           “(33) the term ‘restraint’ has the meaning  
24 given that term in section 591 of the Public Health  
25 Service Act (42 U.S.C. 290ii);

1 “(34) the term ‘evidence based’ means a pro-  
 2 gram or practice that is demonstrated to be effective  
 3 and that—

4 “(A) is based on a clearly articulated and  
 5 empirically supported theory;

6 “(B) has measurable outcomes, including a  
 7 detailed description of what outcomes were pro-  
 8 duced in a particular population; and

9 “(C) has been scientifically tested, opti-  
 10 mally through randomized control studies or  
 11 comparison group studies;

12 “(35) the term ‘promising’ means a program or  
 13 practice that is demonstrated to be effective based  
 14 on positive outcomes from 1 or more objective eval-  
 15 uations, as documented in writing to the Adminis-  
 16 trator;

17 “(36) the term ‘dangerous practice’ means an  
 18 act, procedure, or program that creates an unreason-  
 19 able risk of physical injury, pain, or psychological  
 20 harm to a juvenile subjected to the act, procedure,  
 21 or program;

22 “(37) the term ‘screening’ means a brief proc-  
 23 ess—

24 “(A) designed to identify youth who may  
 25 have mental health or substance abuse needs



1 requiring immediate attention, intervention, and  
2 further evaluation; and

3 “(B) the purpose of which is to quickly  
4 identify a youth with a possible mental health  
5 or substance abuse need in need of further as-  
6 sessment;

7 “(38) the term ‘assessment’ includes, at a min-  
8 imum, an interview and review of available records  
9 and other pertinent information—

10 “(A) by a mental health or substance  
11 abuse professional who meets the criteria of the  
12 applicable State for licensing and education in  
13 the mental health or substance abuse field; and

14 “(B) which is designed to identify signifi-  
15 cant mental health or substance abuse treat-  
16 ment needs to be addressed during a youth’s  
17 confinement; and

18 “(39) the term ‘contact’ means the point at  
19 which a youth interacts with the juvenile justice sys-  
20 tem or criminal justice system, including interaction  
21 with a juvenile justice, juvenile court, or law enforce-  
22 ment official, and including brief, sustained, or re-  
23 peated interaction.”.

1 **TITLE II—JUVENILE JUSTICE**  
 2 **AND DELINQUENCY PREVEN-**  
 3 **TION**

4 **SEC. 201. CONCENTRATION OF FEDERAL EFFORTS.**

5 Section 204(a)(2)(B)(i) of the Juvenile Justice and  
 6 Delinquency Prevention Act of 1974 (42 U.S.C.  
 7 5614(a)(2)(B)(i)) is amended by striking “240 days after  
 8 the date of enactment of this paragraph” and inserting  
 9 “July 2, 2009”.

10 **SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE**  
 11 **AND DELINQUENCY PREVENTION.**

12 Section 206 of the Juvenile Justice and Delinquency  
 13 Prevention Act of 1974 (42 U.S.C. 5616) is amended—  
 14 (1) in subsection (a)—

15 (A) in paragraph (1)—

16 (i) by inserting “the Administrator of  
 17 the Substance Abuse and Mental Health  
 18 Services Administration, the Secretary of  
 19 Defense, the Secretary of Agriculture,”  
 20 after “the Secretary of Health and Human  
 21 Services,”; and

22 (ii) by striking “Commissioner of Im-  
 23 migration and Naturalization” and insert-  
 24 ing “Assistant Secretary for Immigration  
 25 and Customs Enforcement”; and

1 (B) in paragraph (2)(A), by inserting “(in-  
2 cluding at least 1 representative from the men-  
3 tal health fields)” after “field of juvenile jus-  
4 tice”; and  
5 (2) in subsection (c)—

6 (A) in paragraph (1), by striking “para-  
7 graphs (12)(A), (13), and (14) of section  
8 223(a) of this title” and inserting “the core re-  
9 quirements”; and

10 (B) in paragraph (2)—

11 (i) in the matter preceding subpara-  
12 graph (A), by inserting “, on an annual  
13 basis” after “collectively”;

14 (ii) in subparagraph (A), by striking  
15 “and” at the end;

16 (iii) in subparagraph (B),

17 (I) by striking “180 days after  
18 the date of the enactment of this  
19 paragraph” and inserting “May 3,  
20 2009”;

21 (II) by striking “Committee on  
22 Education and the Workforce” and  
23 inserting “Committee on Education  
24 and Labor”; and

1 (III) by striking the period and  
2 inserting “; and”; and

3 (iv) by adding at the end the fol-  
4 lowing:

5 “(C) not later than 120 days after the comple-  
6 tion of the last meeting in any fiscal year, submit to  
7 Congress a report regarding the recommendations  
8 described in subparagraph (A), which shall—

9 “(i) include a detailed account of the ac-  
10 tivities conducted by the Council during the fis-  
11 cal year, including a complete detailed account-  
12 ing of expenses incurred by the Coordinating  
13 Council to conduct operations in accordance  
14 with this section;

15 “(ii) be published on the websites of the  
16 Department of Justice and the Coordinating  
17 Council; and

18 “(iii) be in addition to the annual report  
19 required by section 207.”.

20 **SEC. 203. ANNUAL REPORT.**

21 Section 207 of the Juvenile Justice and Delinquency  
22 Prevention Act of 1974 (42 U.S.C. 5617) is amended—

23 (1) in the matter preceding paragraph (1), by  
24 striking “a fiscal year” and inserting “each fiscal  
25 year”;

1 (2) in paragraph (1)—

2 (A) in subparagraph (B), by inserting  
3 “, ethnicity,” after “race”;

4 (B) in subparagraph (E), by striking  
5 “and” at the end;

6 (C) in subparagraph (F)—

7 (i) by inserting “and other” before  
8 “disabilities,”; and

9 (ii) by striking the period at the end  
10 and inserting a semicolon; and

11 (D) by adding at the end the following:

12 “(G) a summary of data from 1 month of  
13 the applicable fiscal year of the use of restraints  
14 and isolation upon juveniles held in the custody  
15 of secure detention and correctional facilities  
16 operated by a State or unit of local government;

17 “(H) the number of juveniles released from  
18 custody and the type of living arrangement to  
19 which each such juvenile was released;

20 “(I) the number of status offense cases pe-  
21 titioned to court (including a breakdown by  
22 type of offense and disposition), number of sta-  
23 tus offenders held in secure detention, the find-  
24 ings used to justify the use of secure detention,

1           and the average period of time a status of-  
2           fender was held in secure detention; and

3           “(J) the number of pregnant juveniles held  
4           in the custody of secure detention and correc-  
5           tional facilities operated by a State or unit of  
6           local government.”; and

7           (3) by adding at the end the following:

8           “(5) A description of the criteria used to deter-  
9           mine what programs qualify as evidence based and  
10          promising programs under this title and title V and  
11          a comprehensive list of those programs the Adminis-  
12          trator has determined meet such criteria.

13          “(6) A description of funding provided to In-  
14          dian tribes under this Act, including direct Federal  
15          grants and funding provided to Indian tribes  
16          through a State or unit of local government.

17          “(7) An analysis and evaluation of the internal  
18          controls at Office of Juvenile Justice and Delin-  
19          quency Prevention to determine if grantees are fol-  
20          lowing the requirements of Office of Juvenile Justice  
21          and Delinquency Prevention grant programs and  
22          what remedial action Office of Juvenile Justice and  
23          Delinquency Prevention has taken to recover any  
24          grant funds that are expended in violation of the  
25          grant programs, including instances where sup-

1 reporting documentation was not provided for cost re-  
2 ports, where unauthorized expenditures occurred,  
3 and where subrecipients of grant funds were not  
4 compliant with program requirements.

5 “(8) An analysis and evaluation of the total  
6 amount of payments made to grantees that were re-  
7 couped by the Office of Juvenile Justice and Delin-  
8 quency Prevention from grantees that were found to  
9 be in violation of policies and procedures of the Of-  
10 fice of Juvenile Justice and Delinquency Prevention  
11 grant programs. This analysis shall include the full  
12 name and location of the grantee, the violation of  
13 the program found, the amount of funds sought to  
14 be recouped by the Office of Juvenile Justice and  
15 Delinquency Prevention, and the actual amount re-  
16 couped by the Office of Juvenile Justice and Delin-  
17 quency Prevention.”.

18 **SEC. 204. ALLOCATION OF FUNDS.**

19 (a) TECHNICAL ASSISTANCE.—Section 221(b)(1) of  
20 the Juvenile Justice and Delinquency Prevention Act of  
21 1974 (42 U.S.C. 5631(b)(1)) is amended by striking “2  
22 percent” and inserting “5 percent”.

23 (b) OTHER ALLOCATIONS.—Section 222 of the Juve-  
24 nile Justice and Delinquency Prevention Act of 1974 (42  
25 U.S.C. 5632) is amended—

1           (1) in subsection (a)(1), by striking “age eight-  
2       een.” and inserting “18 years of age, based on the  
3       most recent census data to monitor any significant  
4       changes in the relative population of people under  
5       18 years of age occurring in the States.”;

6           (2) by redesignating subsections (c) and (d) as  
7       subsections (d) and (e), respectively;

8           (3) by inserting after subsection (b) the fol-  
9       lowing:

10       “(c)(1) If any amount allocated under subsection (a)  
11       is withheld from a State due to noncompliance with the  
12       core requirements, the funds shall be reallocated for an  
13       improvement grant designed to assist the State in achiev-  
14       ing compliance with the core requirements.

15       “(2) The Administrator shall condition a grant de-  
16       scribed in paragraph (1) on—

17           “(A) the State, with the approval of the Admin-  
18       istrator, developing specific action steps designed to  
19       restore compliance with the core requirements; and

20           “(B) submitting to the Administrator semi-  
21       annually a report on progress toward implementing  
22       the specific action steps developed under subpara-  
23       graph (A).

24       “(3) The Administrator shall provide appropriate and  
25       effective technical assistance directly or through an agree-



1 ment with a contractor to assist a State receiving a grant  
 2 described in paragraph (1) in achieving compliance with  
 3 the core requirements.”;

4 (4) in subsection (d), as so redesignated, by  
 5 striking “efficient administration, including moni-  
 6 toring, evaluation, and one full-time staff position”  
 7 and inserting “effective and efficient administration,  
 8 including the designation of at least 1 person to co-  
 9 ordinate efforts to achieve and sustain compliance  
 10 with the core requirements”; and

11 (5) in subsection (e), as so redesignated, by  
 12 striking “5 per centum of the minimum” and insert-  
 13 ing “not more than 5 percent of the”.

14 **SEC. 205. STATE PLANS.**

15 Section 223 of the Juvenile Justice and Delinquency  
 16 Prevention Act of 1974 (42 U.S.C. 5633) is amended—

17 (1) in subsection (a)—

18 (A) in the matter preceding paragraph (1),  
 19 by inserting “Not later than 30 days after the  
 20 date on which a plan or amended plan sub-  
 21 mitted under this subsection is finalized, a  
 22 State shall make the plan or amended plan pub-  
 23 licly available by posting the plan or amended  
 24 plan on a publicly available website.” after  
 25 “compliance with State plan requirements.”;

1 (B) in paragraph (3)—

2 (i) in subparagraph (A)(ii)—

3 (I) in subclause (II), by striking  
4 “counsel for children and youth” and  
5 inserting “publicly supported court-  
6 appointed legal counsel for children  
7 and youth charged in delinquency  
8 matters”;

9 (II) in subclause (III), by strik-  
10 ing “mental health, education, special  
11 education” and inserting “children’s  
12 mental health, education, child and  
13 adolescent substance abuse, special  
14 education, services for youth with dis-  
15 abilities”;

16 (III) in subclause (V), by striking  
17 “delinquents or potential delinquents”  
18 and inserting “delinquent youth or  
19 youth at risk of delinquency, including  
20 volunteers who work with youth of  
21 color”;

22 (IV) in subclause (VII), by strik-  
23 ing “and” at the end;

24 (V) by redesignating subclause  
25 (VIII) as subclause (XI);

1 (VI) by inserting after subclause  
2 (VII) the following:

3 “(VIII) the executive director or  
4 the designee of the executive director  
5 of a public or nonprofit entity that is  
6 located in the State and receiving a  
7 grant under part A of title III;

8 “(IX) persons with expertise and  
9 competence in preventing and ad-  
10 dressing mental health or substance  
11 abuse needs in juvenile delinquents  
12 and those at-risk of delinquency;

13 “(X) representatives of victim or  
14 witness advocacy groups; and”;

15 (VII) in subclause (XI), as so re-  
16 designated, by striking “disabilities”  
17 and inserting “and other disabilities,  
18 truancy reduction or school failure”;

19 (ii) in subparagraph (D)(ii), by strik-  
20 ing “requirements of paragraphs (11),  
21 (12), and (13)” and inserting “core re-  
22 quirements”; and

23 (iii) in subparagraph (E)(i), by adding  
24 “and” at the end;

25 (C) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking “section 222(d)” and inserting “section 222(e)”; and

(ii) in subparagraph (C), by striking “Indian tribes” and all that follows through “applicable to the detention and confinement of juveniles” and inserting “Indian tribes that agree to attempt to comply with the core requirements applicable to the detention and confinement of juveniles”;

(D) in paragraph (7)(B)—

(i) by striking clause (i) and inserting the following:

“(i) a plan for ensuring that the chief executive officer of the State, State legislature, and all appropriate public agencies in the State with responsibility for provision of services to children, youth and families are informed of the requirements of the State plan and compliance with the core requirements;”;

(ii) in clause (iii), by striking “and” at the end; and

(iii) by striking clause (iv) and inserting the following:

1           “(iv) a plan to provide alternatives to de-  
 2           tention, including diversion to home-based or  
 3           community-based services that are culturally  
 4           and linguistically competent or treatment for  
 5           those youth in need of mental health, substance  
 6           abuse, or co-occurring disorder services at the  
 7           time such juveniles first come into contact with  
 8           the juvenile justice system;

9           “(v) a plan to reduce the number of chil-  
 10          dren housed in secure detention and corrections  
 11          facilities who are awaiting placement in residen-  
 12          tial treatment programs;

13          “(vi) a plan to engage family members in  
 14          the design and delivery of juvenile delinquency  
 15          prevention and treatment services, particularly  
 16          post-placement; and

17          “(vii) a plan to use community-based serv-  
 18          ices to address the needs of at-risk youth or  
 19          youth who have come into contact with the ju-  
 20          venile justice system;”;

21                 (E) in paragraph (8), by striking “exist-  
 22                 ing” and inserting “evidence based and prom-  
 23                 ising”;

24                 (F) in paragraph (9)—

1 (i) in the matter preceding subpara-  
 2 graph (A), by striking “section 222(d)”  
 3 and inserting “section 222(e)”;

4 (ii) in subparagraph (A)(i), by insert-  
 5 ing “status offenders and other” before  
 6 “youth who need”;

7 (iii) in subparagraph (B)(i)—

8 (I) by striking “parents and  
 9 other family members” and inserting  
 10 “status offenders, other youth, and  
 11 the parents and other family members  
 12 of such offenders and youth”; and

13 (II) by striking “be retained”  
 14 and inserting “remain”;

15 (iv) by redesignating subparagraphs  
 16 (G) through (S) as subparagraphs (J)  
 17 through (V), respectively;

18 (v) by redesignating subparagraphs  
 19 (E) and (F) as subparagraphs (F) and  
 20 (G), respectively;

21 (vi) by inserting after subparagraph  
 22 (D) the following:

23 “(E) providing training and technical as-  
 24 sistance to, and consultation with, juvenile jus-  
 25 tice and child welfare agencies of States and

units of local government to develop coordinated plans for early intervention and treatment of youth who have a history of abuse and juveniles who have prior involvement with the juvenile justice system;”;

(vii) in subparagraph (G), as so redesignated, by striking “expanding” and inserting “programs to expand”;

(viii) by inserting after subparagraph (G), as so redesignated, the following:

“(H) programs to improve the recruitment, selection, training, and retention of professional personnel in the fields of medicine, law enforcement, judiciary, juvenile justice, social work and child protection, education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency;

“(I) expanding access to publicly supported, court-appointed legal counsel and enhancing capacity for the competent representation of every child;”;

(ix) in subparagraph (O), as so redesignated—

1 (I) in clause (i), by striking “re-  
 2 straints” and inserting “alternatives”;  
 3 and

4 (II) in clause (ii), by striking “by  
 5 the provision”; and

6 (x) in subparagraph (V), as so redes-  
 7 ignated, by striking the period at the end  
 8 and inserting a semicolon;

9 (G) in paragraph (11)—

10 (i) in subparagraph (A), by striking  
 11 “and” at the end;

12 (ii) in subparagraph (B), by adding  
 13 “and” at the end; and

14 (iii) by adding at the end the fol-  
 15 lowing:

16 “(C) encourage the use of community-  
 17 based alternatives to secure detention, including  
 18 programs of public and nonprofit entities re-  
 19 ceiving a grant under part A of title III;”;

20 (H) in paragraph (12)(A), by striking  
 21 “contact” and inserting “sight and sound con-  
 22 tact”;

23 (I) in paragraph (13), by striking “con-  
 24 tact” each place it appears and inserting “sight  
 25 and sound contact”;



1 (J) by striking paragraph (22);

2 (K) by redesignating paragraphs (23)  
3 through (28) as paragraphs (24) through (29),  
4 respectively;

5 (L) by redesignating paragraphs (14)  
6 through (21) as paragraphs (16) through (23),  
7 respectively;

8 (M) by inserting after paragraph (13) the  
9 following:

10 “(14) require that—

11 “(A) not later than 3 years after the date  
12 of enactment of the Juvenile Justice and Delin-  
13 quency Prevention Reauthorization Act of 2009,  
14 unless a court finds, after a hearing and in  
15 writing, that it is in the interest of justice, juve-  
16 niles awaiting trial or other legal process who  
17 are treated as adults for purposes of prosecu-  
18 tion in criminal court and housed in a secure  
19 facility—

20 “(i) shall not have sight and sound  
21 contact with adult inmates; and

22 “(ii) except as provided in paragraph  
23 (13), may not be held in any jail or lockup  
24 for adults;

1           “(B) in determining under subparagraph  
2           (A) whether it is in the interest of justice to  
3           permit a juvenile to be held in any jail or lock-  
4           up for adults, or have sight and sound contact  
5           with adult inmates, a court shall consider—

6                   “(i) the age of the juvenile;

7                   “(ii) the physical and mental maturity  
8                   of the juvenile;

9                   “(iii) the present mental state of the  
10                  juvenile, including whether the juvenile  
11                  presents an imminent risk of harm to the  
12                  juvenile;

13                  “(iv) the nature and circumstances of  
14                  the alleged offense;

15                  “(v) the juvenile’s history of prior de-  
16                  linquent acts;

17                  “(vi) the relative ability of the avail-  
18                  able adult and juvenile detention facilities  
19                  to meet the specific needs of the juvenile  
20                  and to protect the public;

21                  “(vii) whether placement in a juvenile  
22                  facility will better serve the long-term in-  
23                  terests of the juvenile and be more likely to  
24                  prevent recidivism;

1 “(viii) the availability of programs de-  
2 signed to treat the juvenile’s behavioral  
3 problems; and

4 “(ix) any other relevant factor; and

5 “(C) if a court determines under subpara-  
6 graph (A) that it is in the interest of justice to  
7 permit a juvenile to be held in any jail or lock-  
8 up for adults, or have sight and sound contact  
9 with adult inmates—

10 “(i) the court shall hold a hearing not  
11 less frequently than once every 30 days to  
12 review whether it is still in the interest of  
13 justice to permit the juvenile to be so held  
14 or have such sight and sound contact; and

15 “(ii) the juvenile shall not be held in  
16 any jail or lockup for adults, or permitted  
17 to have sight and sound contact with adult  
18 inmates, for more than 180 days, unless  
19 the court, in writing, determines there is  
20 good cause for an extension or the juvenile  
21 expressly waives this limitation;

22 “(15) implement policy, practice, and system  
23 improvement strategies at the State, territorial,  
24 local, and tribal levels, as applicable, to identify and  
25 reduce racial and ethnic disparities among youth

1       who come into contact with the juvenile justice sys-  
2       tem, without establishing or requiring numerical  
3       standards or quotas, by—

4               “(A) establishing coordinating bodies, com-  
5       posed of juvenile justice stakeholders at the  
6       State, local, or tribal levels, to oversee and mon-  
7       itor efforts by States, units of local government,  
8       and Indian tribes to reduce racial and ethnic  
9       disparities;

10              “(B) identifying and analyzing key decision  
11       points in State, local, or tribal juvenile justice  
12       systems to determine which points create racial  
13       and ethnic disparities among youth who come  
14       into contact with the juvenile justice system;

15              “(C) developing and implementing data  
16       collection and analysis systems to identify  
17       where racial and ethnic disparities exist in the  
18       juvenile justice system and to track and analyze  
19       such disparities;

20              “(D) developing and implementing a work  
21       plan that includes measurable objectives for pol-  
22       icy, practice, or other system changes, based on  
23       the needs identified in the data collection and  
24       analysis under subparagraphs (B) and (C); and

1 “(E) publicly reporting, on an annual  
2 basis, the efforts made in accordance with sub-  
3 paragraphs (B), (C), and (D);”

4 (N) in paragraph (16), as so redesign-  
5 nated—

6 (i) by striking “adequate system” and  
7 inserting “effective system”;

8 (ii) by striking “requirements of para-  
9 graph (11),” and all that follows through  
10 “monitoring to the Administrator” and in-  
11 serting “the core requirements are met,  
12 and for annual reporting to the Adminis-  
13 trator of such plan, including the results of  
14 such monitoring and all related enforce-  
15 ment and educational activities”; and

16 (iii) by striking “, in the opinion of  
17 the Administrator,”;

18 (O) in paragraph (17), as so redesignated,  
19 by inserting “ethnicity,” after “race,”;

20 (P) in paragraph (24), as so redesign-  
21 nated—

22 (i) in subparagraph (B), by striking  
23 “and” at the end;

24 (ii) in subparagraph (C)—

1 (I) in clause (i), by striking  
2 “and” at the end;

3 (II) in clause (ii), by adding  
4 “and” at the end; and

5 (III) by adding at the end the  
6 following:

7 “(iii) if such court determines the ju-  
8 venile should be placed in a secure deten-  
9 tion facility or correctional facility for vio-  
10 lating such order—

11 “(I) the court shall issue a writ-  
12 ten order that—

13 “(aa) identifies the valid  
14 court order that has been vio-  
15 lated;

16 “(bb) specifies the factual  
17 basis for determining that there  
18 is reasonable cause to believe  
19 that the juvenile has violated  
20 such order;

21 “(cc) includes findings of  
22 fact to support a determination  
23 that there is no appropriate less  
24 restrictive alternative available to  
25 placing the juvenile in such a fa-

1 cility, with due consideration to  
2 the best interest of the juvenile;

3 “(dd) specifies the length of  
4 time, not to exceed 7 days, that  
5 the juvenile may remain in a se-  
6 cure detention facility or correc-  
7 tional facility, and includes a  
8 plan for the juvenile’s release  
9 from such facility; and

10 “(ee) may not be renewed or  
11 extended; and

12 “(II) the court may not issue a  
13 second or subsequent order described  
14 in subclause (I) relating to a juvenile,  
15 unless the juvenile violates a valid  
16 court order after the date on which  
17 the court issues an order described in  
18 subclause (I);” and

19 (iii) by adding at the end the fol-  
20 lowing:

21 “(D) there are procedures in place to en-  
22 sure that any juvenile held in a secure detention  
23 facility or correctional facility pursuant to a  
24 court order described in this paragraph does  
25 not remain in custody longer than 7 days or the

1 length of time authorized by the court, which  
 2 ever is shorter; and

3 “(E) not later than 3 years after the date  
 4 of enactment of the Juvenile Justice and Delin-  
 5 quency Prevention Reauthorization Act of 2009  
 6 with a 1 year extension for each additional year  
 7 that the State can demonstrate hardship as de-  
 8 termined by the Administrator, the State will  
 9 eliminate the use of valid court orders to pro-  
 10 vide secure lockup of status offenders;”;

11 (Q) in paragraph (26), as so redesignated,  
 12 by striking “section 222(d)” and inserting “sec-  
 13 tion 222(e)”;

14 (R) in paragraph (27), as so redesign-  
 15 ated—

16 (i) by inserting “and in accordance  
 17 with confidentiality concerns,” after “max-  
 18 imum extent practicable,”; and

19 (ii) by striking the semicolon at the  
 20 end and inserting the following: “, so as to  
 21 provide for—

22 “(A) a compilation of data reflecting infor-  
 23 mation on juveniles entering the juvenile justice  
 24 system with a prior reported history as victims  
 25 of child abuse or neglect through arrest, court



1 intake, probation and parole, juvenile detention,  
2 and corrections; and

3 “(B) a plan to use the data described in  
4 subparagraph (A) to provide necessary services  
5 for the treatment of victims of child abuse and  
6 neglect who have entered, or are at risk of en-  
7 tering, the juvenile justice system;”;

8 (S) in paragraph (28), as so redesign-  
9 nated—

10 (i) by striking “establish policies” and  
11 inserting “establish protocols, policies, pro-  
12 cedures,”; and

13 (ii) by striking “and” at the end;

14 (T) in paragraph (29), as so redesignated,  
15 by striking the period at the end and inserting  
16 a semicolon; and

17 (U) by adding at the end the following:

18 “(30) provide for the coordinated use of funds  
19 provided under this Act with other Federal and  
20 State funds directed at juvenile delinquency preven-  
21 tion and intervention programs;

22 “(31) develop policies and procedures, and pro-  
23 vide training for facility staff to eliminate the use of  
24 dangerous practices, unreasonable restraints, and

1 unreasonable isolation, including by developing effective behavior management techniques;

2 “(32) describe—

3 “(A) how the State will ensure that mental  
4 health and substance abuse screening, assessment,  
5 referral, and treatment for juveniles in  
6 the juvenile justice system includes efforts to  
7 implement an evidence-based mental health and  
8 substance abuse disorder screening and assessment  
9 program for all juveniles held in a secure  
10 facility for a period of more than 24 hours that  
11 provides for 1 or more initial screenings and, if  
12 an initial screening of a juvenile demonstrates  
13 a need, further assessment;

14 “(B) the method to be used by the State  
15 to provide screening and, where needed, assessment,  
16 referral, and treatment for youth who request or show signs of needing mental health or  
17 substance abuse screening, assessment, referral,  
18 or treatment during the period after the initial  
19 screening that the youth is incarcerated;

20 “(C) the method to be used by the State  
21 to provide or arrange for mental health and  
22 substance abuse disorder treatment for juvenile-

1           niles determined to be in need of such treat-  
2           ment; and

3           “(D) the policies of the State designed to  
4           develop and implement comprehensive collabo-  
5           rative State or local plans to meet the service  
6           needs of juveniles with mental health or sub-  
7           stance abuse needs who come into contact with  
8           the justice system and the families of the juve-  
9           niles;

10          “(33) provide procedural safeguards to adju-  
11         dicated juveniles, including—

12                 “(A) a written case plan for each juvenile,  
13                 based on an assessment of the needs of the ju-  
14                 venile and developed and updated in consulta-  
15                 tion with the juvenile, the family of the juvenile,  
16                 and, if appropriate, counsel for the juvenile,  
17                 that—

18                         “(i) describes the pre-release and  
19                         post-release programs and reentry services  
20                         that will be provided to the juvenile;

21                         “(ii) describes the living arrangement  
22                         to which the juvenile is to be discharged;  
23                         and

24                         “(iii) establishes a plan for the enroll-  
25                         ment of the juvenile in post-release health

1 care, behavioral health care, educational,  
2 vocational, training, family support, public  
3 assistance, and legal services programs, as  
4 appropriate;

5 “(B) as appropriate, a hearing that—

6 “(i) shall take place in a family or ju-  
7 venile court or another court (including a  
8 tribal court) of competent jurisdiction, or  
9 by an administrative body appointed or ap-  
10 proved by the court, not earlier than 30  
11 days before the date on which the juvenile  
12 is scheduled to be released, and at which  
13 the juvenile would be represented by coun-  
14 sel; and

15 “(ii) shall determine the discharge  
16 plan for the juvenile, including a deter-  
17 mination of whether a safe, appropriate,  
18 and permanent living arrangement has  
19 been secured for the juvenile and whether  
20 enrollment in health care, behavioral health  
21 care, educational, vocational, training, fam-  
22 ily support, public assistance and legal  
23 services, as appropriate, has been arranged  
24 for the juvenile; and

1 “(C) policies to ensure that discharge plan-  
 2 ning and procedures—

3 “(i) are accomplished in a timely fash-  
 4 ion prior to the release from custody of  
 5 each adjudicated juvenile; and

6 “(ii) do not delay the release from  
 7 custody of the juvenile; and

8 “(34) provide a description of the use by the  
 9 State of funds for reentry and aftercare services for  
 10 juveniles released from the juvenile justice system.”;

11 (2) in subsection (c)—

12 (A) in the matter preceding paragraph  
 13 (1)—

14 (i) by striking “applicable require-  
 15 ments of paragraphs (11), (12), (13), and  
 16 (22) of subsection (a)” and inserting “core  
 17 requirements”; and

18 (ii) by striking “2001, then” and in-  
 19 serting “2009”;

20 (B) in paragraph (1)—

21 (i) by striking “the subsequent fiscal  
 22 year” and inserting “that fiscal year”; and

23 (ii) by striking “, and” at the end and  
 24 inserting a semicolon;

25 (C) in paragraph (2)(B)(ii)—

1 (i) by inserting “, administrative,”  
 2 after “appropriate executive”; and

3 (ii) by striking the period at the end  
 4 and inserting “, as specified in section  
 5 222(c); and”; and

6 (D) by adding at the end the following:

7 “(3) the State shall submit to the Adminis-  
 8 trator a report detailing the reasons for noncompli-  
 9 ance with the core requirements, including the plan  
 10 of the State to regain full compliance, and the State  
 11 shall make publicly available such report, not later  
 12 than 30 days after the date on which the Adminis-  
 13 trator approves the report, by posting the report on  
 14 a publicly available website.”;

15 (3) in subsection (d)—

16 (A) by striking “section 222(d)” and in-  
 17 serting “section 222(e)”;

18 (B) by striking “described in paragraphs  
 19 (11), (12), (13), and (22) of subsection (a)”  
 20 and inserting “described in the core require-  
 21 ments”; and

22 (C) by striking “the requirements under  
 23 paragraphs (11), (12), (13), and (22) of sub-  
 24 section (a)” and inserting “the core require-  
 25 ments”; and

1           (4) by striking subsection (f) and inserting the  
2 following:

3           “(f) COMPLIANCE DETERMINATION.—

4                 “(1) IN GENERAL.—Not later than 60 days  
5 after the date of receipt of information indicating  
6 that a State may be out of compliance with any of  
7 the core requirements, the Administrator shall deter-  
8 mine whether the State is in compliance with the  
9 core requirements.

10           “(2) REPORTING.—The Administrator shall—

11                 “(A) issue an annual public report—

12                         “(i) describing any determination de-  
13 scribed in paragraph (1) made during the  
14 previous year, including a summary of the  
15 information on which the determination is  
16 based and the actions to be taken by the  
17 Administrator (including a description of  
18 any reduction imposed under subsection  
19 (c)); and

20                         “(ii) for any such determination that  
21 a State is out of compliance with any of  
22 the core requirements, describing the basis  
23 for the determination; and

1           “(B) make the report described in sub-  
 2           paragraph (A) available on a publicly available  
 3           website.

4           “(g) TECHNICAL ASSISTANCE.—

5           “(1) ORGANIZATION OF STATE ADVISORY  
 6           GROUP MEMBER REPRESENTATIVES.—The Adminis-  
 7           trator shall provide technical and financial assist-  
 8           ance to an agency, institution, or organization to as-  
 9           sist in carrying out the activities described in para-  
 10          graph (3). The functions and activities of an agency,  
 11          institution, or organization under this subsection  
 12          shall not be subject to the Federal Advisory Com-  
 13          mittee Act.

14          “(2) COMPOSITION.—To be eligible to receive  
 15          assistance under this subsection, an agency, institu-  
 16          tion, or organization shall—

17               “(A) be governed by individuals who—

18                   “(i) have been appointed by a chief  
 19                   executive of a State to serve as a member  
 20                   of a State advisory group established  
 21                   under subsection (a)(3); and

22                   “(ii) are elected to serve as a gov-  
 23                   erning officer of such an agency, institu-  
 24                   tion, or organization by a majority of the  
 25                   member Chairs (or the designees of the



1 member Chairs) of all State advisory  
2 groups established under subsection (a)(3);

3 “(B) include member representatives—

4 “(i) from a majority of the State advi-  
5 sory groups established under subsection  
6 (a)(3); and

7 “(ii) who are representative of region-  
8 ally and demographically diverse State ju-  
9 risdictions; and

10 “(C) annually seek advice from the Chairs  
11 (or the designees of the member Chairs) of each  
12 State advisory group established under sub-  
13 section (a)(3) to implement the advisory func-  
14 tions specified in subparagraphs (D) and (E) of  
15 paragraph (3) of this subsection.

16 “(3) ACTIVITIES.—To be eligible to receive as-  
17 sistance under this subsection, an agency, institu-  
18 tion, or organization shall agree to—

19 “(A) conduct an annual conference of the  
20 member representatives of the State advisory  
21 groups established under subsection (a)(3) for  
22 purposes relating to the activities of such State  
23 advisory groups;

1           “(B) disseminate information, data, stand-  
2           ards, advanced techniques, and program mod-  
3           els;

4           “(C) review Federal policies regarding ju-  
5           venile justice and delinquency prevention;

6           “(D) advise the Administrator regarding  
7           particular functions or aspects of the work of  
8           the Office; and

9           “(E) advise the President and Congress re-  
10          garding State perspectives on the operation of  
11          the Office and Federal legislation relating to ju-  
12          venile justice and delinquency prevention.”.

13 **SEC. 206. AUTHORITY TO MAKE GRANTS.**

14          Section 241(a) of the Juvenile Justice and Delin-  
15          quency Prevention Act of 1974 (42 U.S.C. 5651(a)) is  
16          amended—

17               (1) in paragraph (1), by inserting “status of-  
18               fenders,” before “juvenile offenders, and juveniles”;

19               (2) in paragraph (5), by striking “juvenile of-  
20               fenders and juveniles” and inserting “status offend-  
21               ers, juvenile offenders, and juveniles”;

22               (3) in paragraph (10), by inserting “, including  
23               juveniles with disabilities” before the semicolon;

24               (4) in paragraph (17), by inserting “truancy  
25               prevention and reduction,” after “mentoring,”;

1           (5) in paragraph (24), by striking “and” at the  
2       end;

3           (6) by redesignating paragraph (25) as para-  
4       graph (26); and

5           (7) by inserting after paragraph (24) the fol-  
6       lowing:

7           “(25) projects that support the establishment of  
8       partnerships between a State and a university, insti-  
9       tution of higher education, or research center de-  
10      signed to improve the recruitment, selection, train-  
11      ing, and retention of professional personnel in the  
12      fields of medicine, law enforcement, judiciary, juve-  
13      nile justice, social work and child protection, edu-  
14      cation, and other relevant fields who are engaged in,  
15      or intend to work in, the field of prevention, identi-  
16      fication, and treatment of delinquency; and”.

17 **SEC. 207. GRANTS TO INDIAN TRIBES.**

18       (a) IN GENERAL.—Section 246(a)(2) of the Juvenile  
19      Justice and Delinquency Prevention Act of 1974 (42  
20      U.S.C. 5656(a)(2)) is amended—

21           (1) by striking subparagraph (A);

22           (2) by redesignating subparagraphs (B)  
23      through (E) as subparagraphs (A) through (D), re-  
24      spectively; and

1           (3) in subparagraph (B)(ii), as so redesignated,  
 2           by striking “subparagraph (B)” and inserting “sub-  
 3           paragraph (A)”.

4           (b) **TECHNICAL AND CONFORMING AMENDMENT.**—  
 5           Section 223(a)(7)(A) of the Juvenile Justice and Delin-  
 6           quency Prevention Act of 1974 (42 U.S.C. 5633(a)(7)(A))  
 7           is amended by striking “(including any geographical area  
 8           in which an Indian tribe performs law enforcement func-  
 9           tions)” and inserting “(including any geographical area of  
 10          which an Indian tribe has jurisdiction)”.

11   **SEC. 208. RESEARCH AND EVALUATION; STATISTICAL**  
 12                           **ANALYSES; INFORMATION DISSEMINATION.**

13           (a) **IN GENERAL.**—Section 251 of the Juvenile Jus-  
 14           tice and Delinquency Prevention Act of 1974 (42 U.S.C.  
 15           5661) is amended—

16                   (1) in subsection (a)—

17                           (A) in paragraph (1)—

18                                   (i) in the matter proceeding subpara-  
 19                                   graph (A), by striking “may” and inserting  
 20                                   “shall”;

21                                   (ii) in subparagraph (A), by striking  
 22                                   “plan and identify” and inserting “annu-  
 23                                   ally provide a written and publicly avail-  
 24                                   able plan to identify”; and

25                                   (iii) in subparagraph (B)—

1 (I) by amending clause (iii) to  
2 read as follows:

3 “(iii) successful efforts to prevent status  
4 offenders and first-time minor offenders from  
5 subsequent involvement with the criminal jus-  
6 tice system;”;

7 (II) by amending clause (vii) to  
8 read as follows:

9 “(vii) the prevalence and duration of be-  
10 havioral health needs (including mental health,  
11 substance abuse, and co-occurring disorders)  
12 among juveniles pre-placement and post-place-  
13 ment when held in the custody of secure deten-  
14 tion and corrections facilities, including an ex-  
15 amination of the effects of confinement;”;

16 (III) by redesignating clauses  
17 (ix), (x), and (xi) as clauses (xi), (xii),  
18 and (xiii), respectively; and

19 (IV) by inserting after clause  
20 (viii) the following:

21 “(ix) training efforts and reforms that  
22 have produced reductions in or elimination of  
23 the use of dangerous practices;

24 “(x) methods to improve the recruitment,  
25 selection, training, and retention of professional

1 personnel in the fields of medicine, law enforce-  
2 ment, judiciary, juvenile justice, social work and  
3 child protection, education, and other relevant  
4 fields who are engaged in, or intend to work in,  
5 the field of prevention, identification, and treat-  
6 ment of delinquency;” and

7 (B) in paragraph (4)—

8 (i) in the matter preceding subpara-  
9 graph (A), by inserting “and not later than  
10 1 year after the date of enactment of the  
11 Juvenile Justice and Delinquency Preven-  
12 tion Reauthorization Act of 2009” after  
13 “date of enactment of this paragraph”;

14 (ii) in subparagraph (F), by striking  
15 “and” at the end;

16 (iii) in subparagraph (G), by striking  
17 the period at the end and inserting a semi-  
18 colon; and

19 (iv) by adding at the end the fol-  
20 lowing:

21 “(H) a description of the best practices in dis-  
22 charge planning; and

23 “(I) an assessment of living arrangements for  
24 juveniles who cannot return to the homes of the ju-  
25 veniles.”;

1           (2) in subsection (b), in the matter preceding  
2       paragraph (a), by striking “may” and inserting  
3       “shall”; and

4           (3) by adding at the end the following:

5       “(f) NATIONAL RECIDIVISM MEASURE.—The Admin-  
6       istrator, in consultation with experts in the field of juve-  
7       nile justice research, recidivism, and data collection,  
8       shall—

9           “(1) establish a uniform method of data collec-  
10       tion and technology that States shall use to evaluate  
11       data on juvenile recidivism on an annual basis;

12           “(2) establish a common national juvenile re-  
13       cidivism measurement system; and

14           “(3) make cumulative juvenile recidivism data  
15       that is collected from States available to the pub-  
16       lic.”.

17       (b) STUDIES.—

18           (1) ASSESSMENT OF TREATING JUVENILES AS  
19       ADULTS.—The Administrator shall—

20           (A) not later than 3 years after the date  
21       of enactment of this Act, assess the effective-  
22       ness of the practice of treating youth under 18  
23       years of age as adults for purposes of prosecu-  
24       tion in criminal court; and

1 (B) not later than 42 months after the  
2 date of enactment of this Act, submit to Con-  
3 gress and the President, and make publicly  
4 available, a report on the findings and conclu-  
5 sions of the assessment under subparagraph  
6 (A) and any recommended changes in law iden-  
7 tified as a result of the assessment under sub-  
8 paragraph (A).

9 (2) OUTCOME STUDY OF FORMER JUVENILE  
10 OFFENDERS.—The Administrator shall conduct a  
11 study of adjudicated juveniles and publish a report  
12 on the outcomes for juveniles who have reintegrated  
13 into the community, which shall include information  
14 on the outcomes relating to family reunification,  
15 housing, education, employment, health care, behav-  
16 ioral health care, and repeat offending.

17 (3) DISABILITIES.—Not later than 2 years  
18 after the date of enactment of this Act, the Adminis-  
19 trator shall conduct a study that addresses the prev-  
20 alence of disability and various types of disabilities  
21 in the juvenile justice population.

22 (4) DEFINITION OF ADMINISTRATOR.—In this  
23 subsection, the term “Administrator” means the  
24 head of the Office of Juvenile Justice and Delin-  
25 quency Prevention.



1 **SEC. 209. TRAINING AND TECHNICAL ASSISTANCE.**

2 Section 252 of the Juvenile Justice and Delinquency  
3 Prevention Act of 1974 (42 U.S.C. 5662) is amended—

4 (1) in subsection (a)—

5 (A) in the matter preceding paragraph (1),  
6 by striking “may”;

7 (B) in paragraph (1), by inserting “shall”  
8 before “develop and carry out projects”; and

9 (C) in paragraph (2), by inserting “may”  
10 before “make grants to and contracts with”;

11 (2) in subsection (b)—

12 (A) in the matter preceding paragraph (1),  
13 by striking “may”;

14 (B) in paragraph (1)—

15 (i) by inserting “shall” before “de-  
16 velop and implement projects”; and

17 (ii) by striking “and” at the end;

18 (C) in paragraph (2)—

19 (i) by inserting “may” before “make  
20 grants to and contracts with”; and

21 (ii) by striking the period at the end  
22 and inserting a semicolon; and

23 (D) by adding at the end the following:

24 “(3) shall provide technical assistance to States  
25 and units of local government on achieving compli-  
26 ance with the amendments made by the Juvenile

1 Justice and Delinquency Prevention Reauthorization  
 2 Act of 2009; and

3 “(4) shall provide technical assistance to States  
 4 in support of efforts to establish partnerships be-  
 5 tween the State and a university, institution of high-  
 6 er education, or research center designed to improve  
 7 the recruitment, selection, training, and retention of  
 8 professional personnel in the fields of medicine, law  
 9 enforcement, judiciary, juvenile justice, social work  
 10 and child protection, education, and other relevant  
 11 fields who are engaged in, or intend to work in, the  
 12 field of prevention, identification, and treatment of  
 13 delinquency.”; and

14 (3) by adding at the end the following:

15 “(d) TECHNICAL ASSISTANCE TO STATES REGARD-  
 16 ING LEGAL REPRESENTATION OF CHILDREN.—The Ad-  
 17 ministrator shall develop and issue standards of practice  
 18 for attorneys representing children, and ensure that the  
 19 standards are adapted for use in States.

20 “(e) TRAINING AND TECHNICAL ASSISTANCE FOR  
 21 LOCAL AND STATE JUVENILE DETENTION AND CORREC-  
 22 TIONS PERSONNEL.—The Administrator shall coordinate  
 23 training and technical assistance programs with juvenile  
 24 detention and corrections personnel of States and units  
 25 of local government to—

1           “(1) promote methods for improving conditions  
 2           of juvenile confinement, including those that are de-  
 3           signed to minimize the use of dangerous practices,  
 4           unreasonable restraints, and isolation; and

5           “(2) encourage alternative behavior manage-  
 6           ment techniques.

7           “(f) TRAINING AND TECHNICAL ASSISTANCE TO  
 8           SUPPORT MENTAL HEALTH OR SUBSTANCE ABUSE  
 9           TREATMENT INCLUDING HOME-BASED OR COMMUNITY-  
 10          BASED CARE.—The Administrator shall provide training  
 11          and technical assistance, in conjunction with the appro-  
 12          priate public agencies, to individuals involved in making  
 13          decisions regarding the disposition of cases for youth who  
 14          enter the juvenile justice system about the appropriate  
 15          services and placement for youth with mental health or  
 16          substance abuse needs, including—

17               “(1) juvenile justice intake personnel;

18               “(2) probation officers;

19               “(3) juvenile court judges and court services  
 20          personnel;

21               “(4) prosecutors and court-appointed counsel;

22          and

23               “(5) family members of juveniles and family ad-  
 24          vocates.”.

1 **SEC. 210. INCENTIVE GRANTS FOR STATE AND LOCAL PRO-**  
 2 **GRAMS.**

3 Title II of the Juvenile Justice and Delinquency Pre-  
 4 vention Act of 1974 (42 U.S.C. 5611 et seq.) is amend-  
 5 ed—

6 (1) by redesignating part F as part G; and

7 (2) by inserting after part E the following:

8 **“PART F—INCENTIVE GRANTS FOR STATE AND**  
 9 **LOCAL PROGRAMS**

10 **“SEC. 271. INCENTIVE GRANTS.**

11 “(a) INCENTIVE GRANT FUNDS.—The Administrator  
 12 may make incentive grants to a State, unit of local govern-  
 13 ment, or combination of States and local governments to  
 14 assist a State, unit of local government, or combination  
 15 thereof in carrying out an activity identified in subsection  
 16 (b)(1).

17 “(b) USE OF FUNDS.—

18 “(1) IN GENERAL.—An incentive grant made by  
 19 the Administrator under this section may be used  
 20 to—

21 “(A) increase the use of evidence based or  
 22 promising prevention and intervention pro-  
 23 grams;

24 “(B) improve the recruitment, selection,  
 25 training, and retention of professional personnel  
 26 (including in the fields of medicine, law enforce-

1           ment, judiciary, juvenile justice, social work,  
 2           and child prevention) who are engaged in, or in-  
 3           tend to work in, the field of prevention, inter-  
 4           vention, and treatment of juveniles to reduce  
 5           delinquency;

6           “(C) establish or support a partnership be-  
 7           tween juvenile justice agencies of a State or  
 8           unit of local government and mental health au-  
 9           thorities of State or unit of local government to  
 10          establish and implement programs to ensure  
 11          there are adequate mental health and substance  
 12          abuse screening, assessment, referral, treat-  
 13          ment, and after-care services for juveniles who  
 14          come into contact with the justice system by—

15               “(i) carrying out programs that divert  
 16               from incarceration juveniles who come into  
 17               contact with the justice system (including  
 18               facilities contracted for operation by State  
 19               or local juvenile authorities) and have men-  
 20               tal health or substance abuse needs—

21                       “(I) when such juveniles are at  
 22                       imminent risk of being taken into cus-  
 23                       tody;

24                       “(II) at the time such juveniles  
 25                       are initially taken into custody;

1 “(III) after such juveniles are  
2 charged with an offense or act of juve-  
3 nile delinquency;

4 “(IV) after such juveniles are ad-  
5 judicated delinquent and before case  
6 disposition; and

7 “(V) after such juveniles are  
8 committed to secure placement; or

9 “(ii) improving treatment of juveniles  
10 with mental health needs by working to en-  
11 sure—

12 “(I) that—

13 “(aa) initial mental health  
14 screening is—

15 “(AA) completed for a  
16 juvenile immediately upon  
17 entering the juvenile justice  
18 system or a juvenile facility;  
19 and

20 “(BB) conducted by  
21 qualified health and mental  
22 health professionals or by  
23 staff who have been trained  
24 by qualified health, mental

1 health, and substance abuse  
2 professionals; and

3 “(bb) in the case of screen-  
4 ing, results that indicate possible  
5 need for mental health or sub-  
6 stance abuse services are re-  
7 viewed by qualified mental health  
8 or substance abuse treatment  
9 professionals not later than 24  
10 hours after the screening;

11 “(II) that a juvenile who suffers  
12 from an acute mental disorder, is sui-  
13 cidal, or is in need of medical atten-  
14 tion due to intoxication is—

15 “(aa) placed in or imme-  
16 diately transferred to an appro-  
17 priate medical or mental health  
18 facility; and

19 “(bb) only admitted to a se-  
20 cure correctional facility with  
21 written medical clearance;

22 “(III) that—

23 “(aa) for a juvenile identi-  
24 fied by a screening as needing a  
25 mental health assessment, the

1 mental health assessment and  
2 any indicated comprehensive eval-  
3 uation or individualized treat-  
4 ment plan are written and imple-  
5 mented—

6 “(AA) not later than 2  
7 weeks after the date on  
8 which the juvenile enters the  
9 juvenile justice system; or

10 “(BB) if a juvenile is  
11 entering a secure facility,  
12 not later than 1 week after  
13 the date on which the juve-  
14 nile enters the juvenile jus-  
15 tice system; and

16 “(bb) the assessments de-  
17 scribed in item (aa) are com-  
18 pleted by qualified health, mental  
19 health, and substance abuse pro-  
20 fessionals;

21 “(IV) that—

22 “(aa) if the need for treat-  
23 ment is indicated by the assess-  
24 ment of a juvenile, the juvenile is



1 referred to or treated by a quali-  
2 fied professional;

3 “(bb) a juvenile who is re-  
4 ceiving treatment for a mental  
5 health or substance abuse need  
6 on the date of the assessment  
7 continues to receive treatment;

8 “(cc) treatment of a juvenile  
9 continues until a qualified mental  
10 health professional determines  
11 that the juvenile is no longer in  
12 need of treatment; and

13 “(dd) treatment plans for  
14 juveniles are reevaluated at least  
15 every 30 days;

16 “(V) that—

17 “(aa) discharge plans are  
18 prepared for an incarcerated ju-  
19 venile when the juvenile enters  
20 the correctional facility in order  
21 to integrate the juvenile back  
22 into the family and the commu-  
23 nity;

24 “(bb) discharge plans for an  
25 incarcerated juvenile are updated,

1 in consultation with the family or  
2 guardian of a juvenile, before the  
3 juvenile leaves the facility; and

4 “(cc) discharge plans ad-  
5 dress the provision of aftercare  
6 services;

7 “(VI) that any juvenile in the ju-  
8 venile justice system receiving psycho-  
9 tropic medications is—

10 “(aa) under the care of a li-  
11 censed psychiatrist; and

12 “(bb) monitored regularly by  
13 trained staff to evaluate the effi-  
14 cacy and side effects of the psy-  
15 chotropic medications; and

16 “(VII) that specialized treatment  
17 and services are continually available  
18 to a juvenile in the juvenile justice  
19 system who has—

20 “(aa) a history of mental  
21 health needs or treatment;

22 “(bb) a documented history  
23 of sexual offenses or sexual  
24 abuse, as a victim or perpetrator;

1                   “(cc) substance abuse needs  
2                   or a health problem, learning dis-  
3                   ability, or history of family abuse  
4                   or violence; or

5                   “(dd) developmental disabil-  
6                   ities;

7                   “(D) provide training, in conjunction with  
8                   the public or private agency that provides men-  
9                   tal health services, to individuals involved in  
10                  making decisions involving youth who enter the  
11                  juvenile justice system (including intake per-  
12                  sonnel, law enforcement, prosecutors, juvenile  
13                  court judges, public defenders, mental health  
14                  and substance abuse service providers and ad-  
15                  ministrators, probation officers, and parents)  
16                  that focuses on—

17                  “(i) the availability of screening and  
18                  assessment tools and the effective use of  
19                  such tools;

20                  “(ii) the purpose, benefits, and need  
21                  to increase availability of mental health or  
22                  substance abuse treatment programs (in-  
23                  cluding home-based and community-based  
24                  programs) available to juveniles within the  
25                  jurisdiction of the recipient;

1                   “(iii) the availability of public and pri-  
2                   vate services available to juveniles to pay  
3                   for mental health or substance abuse treat-  
4                   ment programs; or

5                   “(iv) the appropriate use of effective  
6                   home-based and community-based alter-  
7                   natives to juvenile justice or mental health  
8                   system institutional placement; and

9                   “(E) develop comprehensive collaborative  
10                  plans to address the service needs of juveniles  
11                  with mental health or substance abuse disorders  
12                  who are at risk of coming into contact with the  
13                  juvenile justice system that—

14                  “(i) revise and improve the delivery of  
15                  intensive home-based and community-based  
16                  services to juveniles who have been in con-  
17                  tact with or who are at risk of coming into  
18                  contact with the justice system;

19                  “(ii) determine how the service needs  
20                  of juveniles with mental health or sub-  
21                  stance abuse disorders who come into con-  
22                  tact with the juvenile justice system will be  
23                  furnished from the initial detention stage  
24                  until after discharge in order for these ju-

1           veniles to avoid further contact with the  
2           justice system;

3           “(iii) demonstrate that the State or  
4           unit of local government has entered into  
5           appropriate agreements with all entities re-  
6           sponsible for providing services under the  
7           plan, such as the agency of the State or  
8           unit of local government charged with ad-  
9           ministering juvenile justice programs, the  
10          agency of the State or unit of local govern-  
11          ment charged with providing mental health  
12          services, the agency of the State or unit of  
13          local government charged with providing  
14          substance abuse treatment services, the  
15          educational agency of the State or unit of  
16          local government, the child welfare system  
17          of the State or local government, and pri-  
18          vate nonprofit community-based organiza-  
19          tions;

20          “(iv) ensure that the State or unit of  
21          local government has in effect any laws  
22          necessary for services to be delivered in ac-  
23          cordance with the plan;

24          “(v) establish a network of individuals  
25          (or incorporates an existing network) to

1 provide coordination between mental health  
2 service providers, substance abuse service  
3 providers, probation and parole officers,  
4 judges, corrections personnel, law enforce-  
5 ment personnel, State and local edu-  
6 cational agency personnel, parents and  
7 families, and other appropriate parties re-  
8 garding effective treatment of juveniles  
9 with mental health or substance abuse dis-  
10 orders;

11 “(vi) provide for cross-system training  
12 among law enforcement personnel, correc-  
13 tions personnel, State and local educational  
14 agency personnel, mental health service  
15 providers, and substance abuse service pro-  
16 viders to enhance collaboration among sys-  
17 tems;

18 “(vii) provide for coordinated and ef-  
19 fective aftercare programs for juveniles  
20 who have been diagnosed with a mental  
21 health or substance abuse disorder and  
22 who are discharged from home-based care,  
23 community-based care, any other treat-  
24 ment program, secure detention facilities,  
25 secure correctional facilities, or jail;

1           “(viii) provide for the purchase of  
2           technical assistance to support the imple-  
3           mentation of the plan;

4           “(ix) estimate the costs of imple-  
5           menting the plan and proposes funding  
6           sources sufficient to meet the non-Federal  
7           funding requirements for implementation  
8           of the plan under subsection (c)(2)(E);

9           “(x) describe the methodology to be  
10          used to identify juveniles at risk of coming  
11          into contact with the juvenile justice sys-  
12          tem;

13          “(xi) provide a written plan to ensure  
14          that all training and services provided  
15          under the plan will be culturally and lin-  
16          guistically competent; and

17          “(xii) describe the outcome measures  
18          and benchmarks that will be used to evalu-  
19          ate the progress and effectiveness of the  
20          plan.

21          “(2) COORDINATION AND ADMINISTRATION.—A  
22          State or unit of local government receiving a grant  
23          under this section shall ensure that—

1           “(A) the use of the grant under this sec-  
 2           tion is developed as part of the State plan re-  
 3           quired under section 223(a); and

4           “(B) not more than 5 percent of the  
 5           amount received under this section is used for  
 6           administration of the grant under this section.

7           “(c) APPLICATION.—

8           “(1) IN GENERAL.—A State or unit of local  
 9           government desiring a grant under this section shall  
 10          submit an application at such time, in such manner,  
 11          and containing such information as the Adminis-  
 12          trator may prescribe.

13          “(2) CONTENTS.—In accordance with guide-  
 14          lines that shall be established by the Administrator,  
 15          each application for incentive grant funding under  
 16          this section shall—

17               “(A) describe any activity or program the  
 18               funding would be used for and how the activity  
 19               or program is designed to carry out 1 or more  
 20               of the activities described in subsection (b);

21               “(B) if any of the funds provided under  
 22               the grant would be used for evidence based or  
 23               promising prevention or intervention programs,  
 24               include a detailed description of the studies,  
 25               findings, or practice knowledge that support the



1           assertion that such programs qualify as evi-  
2           dence based or promising;

3           “(C) for any program for which funds pro-  
4           vided under the grant would be used that is not  
5           evidence based or promising, include a detailed  
6           description of any studies, findings, or practice  
7           knowledge which support the effectiveness of  
8           the program;

9           “(D) if the funds provided under the grant  
10          will be used for an activity described in sub-  
11          section (b)(1)(D), include a certification that  
12          the State or unit of local government—

13               “(i) will work with public or private  
14               entities in the area to administer the train-  
15               ing funded under subsection (b)(1)(D), to  
16               ensure that such training is comprehensive,  
17               constructive, linguistically and culturally  
18               competent, and of a high quality;

19               “(ii) is committed to a goal of increas-  
20               ing the diversion of juveniles coming under  
21               its jurisdiction into appropriate home-  
22               based or community-based care when the  
23               interest of the juvenile and public safety  
24               allow;

1 “(iii) intends to use amounts provided  
 2 under a grant under this section for an ac-  
 3 tivity described in subsection (b)(1)(D) to  
 4 further such goal; and

5 “(iv) has a plan to demonstrate, using  
 6 appropriate benchmarks, the progress of  
 7 the agency in meeting such goal; and

8 “(E) if the funds provided under the grant  
 9 will be used for an activity described in sub-  
 10 section (b)(1)(D), include a certification that  
 11 not less than 25 percent of the total cost of the  
 12 training described in subsection (b)(1)(D) that  
 13 is conducted with the grant under this section  
 14 will be contributed by non-Federal sources.

15 “(d) REQUIREMENTS FOR GRANTS TO ESTABLISH  
 16 PARTNERSHIPS.—

17 “(1) MANDATORY REPORTING.—A State or unit  
 18 of local government receiving a grant for an activity  
 19 described in subsection (b)(1)(C) shall keep records  
 20 of the incidence and types of mental health and sub-  
 21 stance abuse disorders in their juvenile justice popu-  
 22 lations, the range and scope of services provided,  
 23 and barriers to service. The State or unit of local  
 24 government shall submit an analysis of this informa-  
 25 tion yearly to the Administrator.

1           “(2) STAFF RATIOS FOR CORRECTIONAL FA-  
 2           CILITIES.—A State or unit of local government re-  
 3           ceiving a grant for an activity described in sub-  
 4           section (b)(1)(C) shall require that a secure correc-  
 5           tional facility operated by or on behalf of that State  
 6           or unit of local government—

7                   “(A) has a minimum ratio of not fewer  
 8                   than 1 mental health and substance abuse  
 9                   counselor for every 50 juveniles, who shall be  
 10                  professionally trained and certified or licensed;

11                  “(B) has a minimum ratio of not fewer  
 12                  than 1 clinical psychologist for every 100 juve-  
 13                  niles; and

14                  “(C) has a minimum ratio of not fewer  
 15                  than 1 licensed psychiatrist for every 100 juve-  
 16                  niles receiving psychiatric care.

17           “(3) LIMITATION ON ISOLATION.—A State or  
 18           unit of local government receiving a grant for an ac-  
 19           tivity described in subsection (b)(1)(C) shall require  
 20           that—

21                   “(A) isolation is used only for immediate  
 22                   and short-term security or safety reasons;

23                   “(B) no juvenile is placed in isolation with-  
 24                   out approval of the facility superintendent or

1 chief medical officer or their official staff des-  
 2 ignee;

3 “(C) all instances in which a juvenile is  
 4 placed in isolation are documented in the file of  
 5 a juvenile along with the justification;

6 “(D) a juvenile is in isolation only the  
 7 amount of time necessary to achieve security  
 8 and safety of the juvenile and staff;

9 “(E) staff monitor each juvenile in isola-  
 10 tion once every 15 minutes and conduct a pro-  
 11 fessional review of the need for isolation at least  
 12 every 4 hours; and

13 “(F) any juvenile held in isolation for 24  
 14 hours is examined by a physician or licensed  
 15 psychologist.

16 “(4) MEDICAL AND MENTAL HEALTH EMER-  
 17 GENCIES.—A State or unit of local government re-  
 18 ceiving a grant for an activity described in sub-  
 19 section (b)(1)(C) shall require that a correctional fa-  
 20 cility operated by or on behalf of that State or unit  
 21 of local government has written policies and proce-  
 22 dures on suicide prevention. All staff working in a  
 23 correctional facility operated by or on behalf of a  
 24 State or unit of local government receiving a grant  
 25 for an activity described in subsection (b)(1)(C) shall

1 be trained and certified annually in suicide preven-  
2 tion. A correctional facility operated by or on behalf  
3 of a State or unit of local government receiving a  
4 grant for an activity described in subsection  
5 (b)(1)(C) shall have a written arrangement with a  
6 hospital or other facility for providing emergency  
7 medical and mental health care. Physical and mental  
8 health services shall be available to an incarcerated  
9 juvenile 24 hours per day, 7 days per week.

10 “(5) IDEA AND REHABILITATION ACT.—A  
11 State or unit of local government receiving a grant  
12 for an activity described in subsection (b)(1)(C) shall  
13 require that all juvenile facilities operated by or on  
14 behalf of the State or unit of local government abide  
15 by all mandatory requirements and timelines set  
16 forth under the Individuals with Disabilities Edu-  
17 cation Act (20 U.S.C. 1400 et seq.) and section 504  
18 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

19 “(6) FISCAL RESPONSIBILITY.—A State or unit  
20 of local government receiving a grant for an activity  
21 described in subsection (b)(1)(C) shall provide for  
22 such fiscal control and fund accounting procedures  
23 as may be necessary to ensure prudent use, proper  
24 disbursement, and accurate accounting of funds re-

1       ceived under this section that are used for an activ-  
 2       ity described in subsection (b)(1)(C).”.

3   **SEC. 211. AUTHORIZATION OF APPROPRIATIONS.**

4       Section 299 of the Juvenile Justice and Delinquency  
 5   Prevention Act of 1974 (42 U.S.C. 5671) is amended—

6           (1) in subsection (a)—

7               (A) in the subsection heading, by striking  
 8               “PARTS C AND E” and inserting “PARTS C, E,  
 9               AND F”;

10            (B) in paragraph (1), by striking “this  
 11            title” and all that follows and inserting the fol-  
 12            lowing: “this title—

13               “(A) \$245,900,000 for fiscal year 2010;

14               “(B) \$295,100,000 for fiscal year 2011;

15               “(C) \$344,300,000 for fiscal year 2012;

16               “(D) \$393,500,000 for fiscal year 2013; and

17               “(E) \$442,700,000 for fiscal year 2014.”; and

18            (C) in paragraph (2), in the matter pre-  
 19            ceding subparagraph (A), by striking “parts C  
 20            and E” and inserting “parts C, E, and F”;

21            (2) in subsection (b), by striking “fiscal years  
 22            2003, 2004, 2005, 2006, and 2007” and inserting  
 23            “fiscal years 2010, 2011, 2012, 2013, and 2014”;

1           (3) in subsection (c), by striking “fiscal years  
2       2003, 2004, 2005, 2006, and 2007” and inserting  
3       “fiscal years 2010, 2011, 2012, 2013, and 2014”;

4           (4) by redesignating subsection (d) as sub-  
5       section (e); and

6           (5) by inserting after subsection (c) the fol-  
7       lowing:

8       “(d) AUTHORIZATION OF APPROPRIATIONS FOR  
9       PART F.—

10           “(1) IN GENERAL.—There are authorized to be  
11       appropriated to carry out part F, and authorized to  
12       remain available until expended, \$80,000,000 for  
13       each of fiscal years 2010, 2011, 2012, 2013, and  
14       2014.

15           “(2) ALLOCATION.—Of the sums that are ap-  
16       propriated for a fiscal year to carry out part F—

17           “(A) not less than 40 percent shall be used  
18       to fund programs that are carrying out an ac-  
19       tivity described in subparagraph (C), (D), or  
20       (E) of section 271(b)(1); and

21           “(B) not less than 50 percent shall be used  
22       to fund programs that are carrying out an ac-  
23       tivity described in subparagraph (A) of that  
24       section.”.

1 **SEC. 212. ADMINISTRATIVE AUTHORITY.**

2 Section 299A(e) of the Juvenile Justice and Delin-  
 3 quency Prevention Act of 1974 (42 U.S.C. 5672(e)) is  
 4 amended by striking “requirements described in para-  
 5 graphs (11), (12), and (13) of section 223(a)” and insert-  
 6 ing “core requirements”.

7 **SEC. 213. TECHNICAL AND CONFORMING AMENDMENTS.**

8 The Juvenile Justice and Delinquency Prevention Act  
 9 of 1974 (42 U.S.C. 5601 et seq.) is amended—

10 (1) in section 204(b)(6), by striking “section  
 11 223(a)(15)” and inserting “section 223(a)(16)”;

12 (2) in section 246(a)(2)(D), by striking “section  
 13 222(c)” and inserting “section 222(d)”;

14 (3) in section 299D(b), of by striking “section  
 15 222(c)” and inserting “section 222(d)”.

16 **TITLE III—INCENTIVE GRANTS**  
 17 **FOR LOCAL DELINQUENCY**  
 18 **PREVENTION PROGRAMS**

19 **SEC. 301. DEFINITIONS.**

20 Section 502 of the Incentive Grants for Local Delin-  
 21 quency Prevention Programs Act of 2002 (42 U.S.C.  
 22 5781) is amended—

23 (1) in the section heading, by striking “**DEFI-**  
 24 **NITION**” and inserting “**DEFINITIONS**”; and

25 (2) by striking “this title, the term” and insert-  
 26 ing the following: “this title—



1           “(1) the term ‘mentoring’ means matching 1  
 2           adult with 1 or more youths (not to exceed 4 youths)  
 3           for the purpose of providing guidance, support, and  
 4           encouragement aimed at developing the character of  
 5           the youths, where the adult and youths meet regu-  
 6           larly for not less than 4 hours each month for not  
 7           less than a 9-month period; and

8           “(2) the term”.

9   **SEC. 302. GRANTS FOR DELINQUENCY PREVENTION PRO-**  
 10                           **GRAMS.**

11           Section 504(a) of the Incentive Grants for Local De-  
 12           linquency Prevention Programs Act of 2002 (42 U.S.C.  
 13           5783(a)) is amended—

14                   (1) in paragraph (7), by striking “and” at the  
 15           end;

16                   (2) in paragraph (8), by striking the period at  
 17           the end and inserting “; and”; and

18                   (3) by adding at the end the following:

19                   “(9) mentoring programs.”.

20   **SEC. 303. AUTHORIZATION OF APPROPRIATIONS.**

21           Section 505 of the Incentive Grants for Local Delin-  
 22           quency Prevention Programs Act of 2002 (42 U.S.C.  
 23           5784) is amended to read as follows:

1 **“SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out  
3 this title—

4 “(1) \$322,800,000 for fiscal year 2010;

5 “(2) \$373,400,000 for fiscal year 2011;

6 “(3) \$424,000,000 for fiscal year 2012;

7 “(4) \$474,600,000 for fiscal year 2013; and

8 “(5) \$525,200,000 for fiscal year 2014.”.

9 **SEC. 304. TECHNICAL AND CONFORMING AMENDMENT.**

10 The Juvenile Justice and Delinquency Prevention Act  
11 of 1974 is amended by striking title V, as added by the  
12 Juvenile Justice and Delinquency Prevention Act of 1974  
13 (Public Law 93–415; 88 Stat. 1133) (relating to miscella-  
14 neous and conforming amendments).

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